

Appl. No. 10/823,898

/Elisa Rice/ 02/12/2009

Atty. Ref. 81784.0306

Amdt. dated January 21, 2009

Customer No. 26021

Reply to Office Action of October 20, 2008

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Toshio NAKAKUKI

Serial No. 10/823,898

Confirmation No. 5673

Filed: April 14, 2004

For: Image Processing Device, Image Processing  
Method, and Image Processing Program  
Product for Making Determination of  
Presence of Plural Peaks in a Spectrum of  
a Predetermined Physical Quantity in  
Image Data (as amended)

Art Unit: 2624

Examiner: Rice, Elisa M

I hereby certify that this correspondence  
is being transmitted via electronic filing  
to:

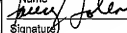
Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

January 21, 2009

Date of Deposit

Nancy Nolen

Name



Signature

1/21/2009

Date

**AMENDMENT UNDER 37 CFR 1.116**

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In response to the final Office Action dated October 20, 2008, please amend  
this application as follows:

Amendments to the Claims are reflected in the listing of claims which  
begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.